

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

May 05, 2023

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SHELLY M. C.¹

Plaintiff,

v.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 2:22-cv-00264-LRS

ORDER GRANTING STIPULATED
MOTION TO REMAND

BEFORE THE COURT is the Defendant's Stipulated Motion to Remand, ECF No. 16. Based on the stipulation of the parties, the Court finds good cause to grant the motion. Accordingly, pursuant to the stipulation, **IT IS HEREBY**

ORDERED:

1. Defendant's Stipulated Motion to Remand, **ECF No. 16** is **GRANTED**.

¹ The court identifies a plaintiff in a social security case only by the first name and last initial in order to protect privacy. *See* LCivR 5.2(c).

2. This case is **REVERSED** and **REMANDED** for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).
3. Upon remand, the Appeals Council will instruct the ALJ to: re-evaluate Plaintiff's testimony; re-evaluate the medical evidence; reconsider the RFC finding; complete the sequential evaluation process; offer the claimant the opportunity for a hearing; take further action to complete the administrative record resolving the above issues; and issue a new decision.
4. Upon proper presentation, this Court will consider Plaintiff's application for costs, expenses, and reasonable attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(a), (d).
5. Plaintiff's Opening Brief, **ECF No. 13**, and the hearing and remaining briefing schedule are **VACATED** as moot.

IT IS SO ORDERED. The District Court Clerk is directed to enter this
order and provide copies to counsel. Judgment shall be entered for Plaintiff and
the case shall be **CLOSED**.

DATED May 5, 2023.


LONNY R. SUKO
Senior United States District Judge